

Confirmation No. 2164

PC27832A



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : Donald E. Frail, et al.

EXAMINER :

SERIAL NO. : 10/724856

ART UNIT :

FILED : December 1, 2003

PAPER NO :

FOR : The Use of Aryl- and Heteroaryl-Substituted Tetrahydroisoquinolines in the Treatment of Chronic and Neuropathic Pain, Migraine Headaches and Urge, Stress and Mixed Urinary Incontinence

Response to Notice to File Missing Parts of Nonprovisional Application

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is in response to the Notice to File Missing Parts of Nonprovisional Application, dated March 3, 2004. In the Notice to File Missing Parts, the Office has indicated that the Applicants submitted an unsigned Oath or Declaration, and has requested that the Applicants furnish same in order to avoid abandonment of the above-identified application.

The Applicants have enclosed the signed Declaration. As such, the Applicants respectfully submit that the requirements to avoid abandonment of the above-identified application have been met.

A petition for three months extension of time is also requested.

It is understood by the Applicants that this paper requires a fee; and authorization is given to charge any necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

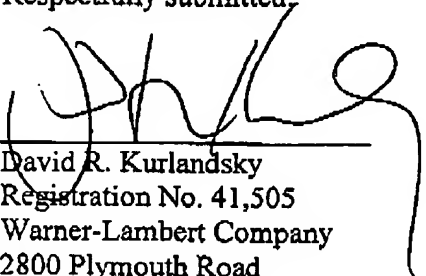
The Applicants submit that this application is now in condition for allowance, which allowance is respectfully solicited.

Respectfully submitted,

Dated: 8/3/04

08/05/2004 HTECKLU1 00000082 230455 10724856

02 FC:1253 950.00 DA


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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/724,856	12/01/2003	Donald E. Frail	01458.US1

25533
PHARMACIA & UPJOHN
301 HENRIETTA ST
0228-32-LAW
KALAMAZOO, MI 49007



CONFIRMATION NO. 2164
FORMALITIES LETTER
OC000000012014011

Date Mailed: 03/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/05/2004 HTECKLU1 00000082 230455 10724856

FILED UNDER 37 CFR 1.53(b)

01 FC:1051 130.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

DUCKING
DATE 5/3/04
FOR Missing Parts - DER
BY TRM CHECKED BY: _____

Docketed
DATE 8/3/04
FOR Missing Parts - DER
BY TRM CHECKED BY: Leadline

A copy of this notice **MUST** be returned with the reply



Customer No. 28880

Confirmation No. 2164



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (03-03)
Approved for use through 04/30/2003. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/724856	
	Filing Date	December 1, 2003	
	First Named Inventor	Donald E. Frail, et al.	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	9	Attorney Docket Number	PC 27832 (01458.US1)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Notification of Missing Requirements
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Oath and Declaration
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Change of Correspondence Address
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	AUTHORIZATION TO CHARGE THE FEE AND ANY ADDITIONAL FEES AS NECESSARY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 23-0455 IS HEREBY GIVEN.	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	David R. Kurlandsky	
Signature		
Date	8/3/04	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date <u>8/3/04</u>		
Typed or printed	Linda A. Zerby	
Signature		Date <u>8/3/04</u>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

USPTO Fax No. 703-746-4060 Office of Initial Patent Examination (OIPE)

Aug-03-2004 02:57pm From-

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T. Segev
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE